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23 Attorneys for Defendant
24 Micron Technology, Inc.

25 UNITED STATES DISTRICT COURT
26 EASTERN DISTRICT OF CALIFORNIA

27 DENNIS ROSSEAU,

28 Plaintiff,

v.

MICRON TECHNOLOGY INC., an Idaho
corporation, and DOES 1-50, inclusive,

Defendants.

Case No. 2:20-CV-00437-TLN-DB

STIPULATION AND ORDER FOR:

- (1) INDEPENDENT MENTAL /
PSYCHOLOGICAL EXAMINATION
OF PLAINTIFF; AND
(2) INDEPENDENT HEARING
EXAMINATION OF PLAINTIFF**

1 Plaintiff DENNIS ROSSEAU ("Plaintiff") and Defendant MICRON TECHNOLOGY, INC.
2 ("Defendant") by and through their respective counsel of record, stipulate and agree as follows, and
3 request that the Court enter an Order upon this Stipulation:

4 WHEREAS, Plaintiff has alleged claims for disability discrimination and retaliation, among
5 other claims, involving an alleged hearing impairment and his suffering of allegedly "severe" emotional
6 distress associated with Defendant's purported conduct.

7 WHEREAS, the Parties stipulate that good cause exists for Defendant to conduct the following
8 examinations of Plaintiff:

9 (1) An independent mental / psychological examination of Plaintiff (the Mental/Psychological
10 Exam); and

11 (2) An independent medical examination of Plaintiff regarding his hearing (the Hearing Exam).

12 WHEREAS, the Parties stipulate that Defendant may conduct the Mental/Psychological Exam
13 and the Hearing Exam in May or June 2021, in that the exams involve the use of expert consultants or
14 experts and do not constitute fact-based discovery, and further stipulate that Plaintiff will make himself
15 available for each examination within two weeks' of his counsel receiving notice of the date, time, and
16 location of such examination. The Parties will meet and confer regarding the scheduling of such
17 examinations to minimize travel and inconvenience, to the extent possible, for all Parties.

18 WHEREAS, the Parties request that the Court enter an order upon this Stipulation.

19 **IT IS SO STIPULATED.**

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21 Dated: April 30, 2021

LILLIS PITHA LLP

22 By: /s/ Martin L. Pitha
23 Martin L. Pitha
24 Attorneys for Defendant
Micron Technology, Inc.

25 Dated: April 30, 2021

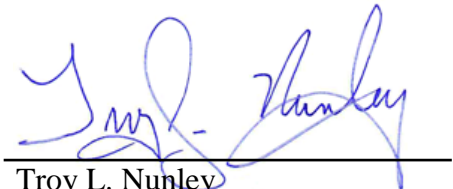
THE VELEZ LAW FIRM, PC

26 By: /s/ Mark Velez
27 Mark Velez
28 Attorneys for Plaintiff
(filing with permission)

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2 **PURSUANT TO THE ABOVE STIPULATION**, Plaintiff shall appear for an Independent
3 Mental/Psychological Exam, and also appear for an Independent Medical Exam for his Hearing, each to
4 occur during the months of May 2021 or June 2021, within two weeks of his counsel receiving notice of
5 the date, time, and location of each examination. The Parties shall meet and confer regarding the
6 scheduling of such examinations to minimize travel and inconvenience, to the extent possible, for all
7 Parties.

8 **IT IS SO ORDERED.**

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10 Dated: April 30, 2021

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Troy L. Nunley
United States District Judge